

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re GE ERISA LITIGATION

Master File No. 1:17-cv-12123-IT

This Document Relates To:

CLASS ACTION

ALL ACTIONS.

**DECLARATION OF
ABIGAIL SCHWARTZ
FOR RUST CONSULTING, INC.**

I, Abigail Schwartz, declare as follows:

1. I am a Program Manager for Rust Consulting, Inc. (“Rust”). My business address is 920 2nd Ave S, Suite 400, Minneapolis, Minnesota 55402. My telephone number is (612) 359-2078. I am over twenty-one years of age and am authorized to make this declaration on behalf of Rust and myself.

2. Rust has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities fraud, property damage, employment discrimination, employment wage and hour, product liability, insurance and consumer issues. We have provided notification and/or claims administration services in more than 8,000 cases. Of these, over 3,750 were Labor & Employment cases.

3. Rust was engaged by Counsel for the Plaintiffs and Counsel for the Defendants (collectively the “Parties”) to provide notification services in the *GE ERISA Litigation* (“Settlement”). Duties included: a) preparing, printing, mailing, and emailing of the Class Action Fairness Act (CAFA) Notice; b) preparing, printing, mailing, and emailing of the *Notice of Settlement of Class Action* and *Former Participant Rollover Form* (“Rollover Form”)

1 (collectively known as the “Notice”); c) receiving and reviewing Rollover Forms; d) arranging for
2 the creation and maintenance of a publicly available website; and e) for such other tasks as the
3 Parties mutually agree or the Court orders Rust to perform.

4 4. Rust obtained a mailing address of GE ERISA Settlement Administrator, c/o Rust
5 Consulting, Inc. – 8446, P.O. Box 2396, Faribault, Minnesota 55021-9096 to receive Rollover
6 Forms, undeliverable Notices, and other communications regarding the Settlement.

7 5. Rust obtained a toll-free telephone number of (866) 886-6884 for Class Members
8 to call with questions regarding the Settlement. The toll-free telephone number was included in the
9 Notice.

10 6. Rust obtained a website address of <https://ge401ksettlement.com/> and set up a
11 website for the Settlement. The website includes the Notice, Rollover Form, Settlement
12 Agreement, and Order Preliminarily Approving Settlement And Providing For Notice, among
13 other court documents, for viewing, downloading and/or printing and additional information about
14 the Settlement. The website address was included in the Notice.

15 7. Rust obtained an email address of admin@ge401ksettlement.com for receiving
16 communications about the Settlement.

17 8. On October 16, 2023, Rust Consulting sent CAFA Notices to 51 Attorney General
18 Offices via U.S.P.S. Priority Mail and nine (9) CAFA Notices to Attorney General Offices via
19 email for this matter. The available court documents were posted on Rust’s CAFA website,
20 www.cafanotices.com. A copy of the CAFA letter is attached hereto as Exhibit A.

21 9. On or about October 25, 2023, Counsel for the Defendants provided Rust with a
22 mailing list containing Class Member’s names, last known addresses, Social Security Numbers,
23 email addresses, and applicable employment information (“Class List”). The Class List contained
24 data for 212,736 Class Members.

25 10. The mailing addresses contained in the Class List were processed and updated
26 utilizing the National Change of Address Database (“NCOA”) maintained by the U.S. Postal
27 Service. The NCOA contains requested changes of address filed with the U.S. Postal Service. In
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1 the event that any individual had filed a U.S. Postal Service change of address request, the address
2 listed with the NCOA would be utilized in connection with the mailing of the Notice.

3 11. On or about November 3, 2023, Rust received text for the Notice from Counsel. A
4 draft of the formatted Notice was prepared by Rust and approved by the Parties. Attached as
5 Exhibit B is a copy of the final Notice.

6 12. As of this date, Rust has sent a total of 351,767 Notices (318,529 via email, and
7 33,447 via First-Class Mail) as described below.

8 13. On December 7, 2023, Notices were mailed to 17,922 Class Members contained in
9 the Class List via First-Class Mail. The Notice advised Class Members that they could submit a
10 Rollover Form postmarked by March 18, 2024.

11 14. On December 7, 2023, Notices were also emailed to 194,814 Class Members,
12 including a combined 318,529 emails contained in the Class List as multiple email addresses were
13 provided for 123,354 Class Members.

14 i. Of the 318,529 emails sent, 113,073 were identified as being undeliverable.

15 ii. Of the 113,073 undeliverable emails, 10,033 emails were for Class
16 Members that contained one (1) email address within the Class List.

17 iii. Of the 113,073 undeliverable emails, 9,734 emails were for 4,867 Class
18 Members that contained two (2) email addresses within the Class List and
19 both were undeliverable.

20 iv. Of the 113,073 undeliverable emails, 93,306 emails were for Class
21 Members that contained two (2) email addresses within the Class List and
22 only one (1) email was undeliverable.

23 15. On January 16, 2024, Notices were mailed to 14,900 Class Members via First-Class
24 Mail who had been identified as not receiving their Notice via email.

25 16. As of this date, Rust has performed 1,180 address traces on initial Notices returned
26 as undeliverable for the first time as of March 18, 2024. The address trace utilizes the Class
27 Member's name, previous address, and Social Security Number for locating a current address. Of
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1 the 1,180 traces performed, 417 more current addresses were obtained and Notices were promptly
2 re-mailed to those Class Members via First-Class Mail. Of the 1,180 traces performed, Rust did
3 not obtain updated addresses for 763 undeliverable Notices. Of the 417 Notices mailed to a more
4 current address identified from trace, 39 Notices were returned to Rust as undeliverable a second
5 time.

6 17. As of this date, Rust has performed 481 address traces on the Notices returned as
7 undeliverable from the January 16, 2024 mailing. Of the 481 traces performed, 185 more current
8 addresses were obtained and Notices were promptly re-mailed to those Class Members via First-
9 Class Mail. Of the 185 traces performed, Rust did not obtain updated addresses for 296
10 undeliverable Notices. Of the 185 Notices mailed to a more current address identified from trace,
11 zero (0) Notices were returned to Rust as undeliverable a second time.

12 18. As of this date, 23 Notices were returned by the Post Office with forwarding
13 addresses attached as of March 18, 2024. Rust promptly re-mailed Notice to those Class Members
14 via First-Class Mail.

15 19. As of this date, Notices were sent collectively via First-Class Mail and/or email to
16 212,736 Class Members.

17 20. As of this date, a total of 1,098 Notices remain undeliverable.

18 21. As a result, as of this date, Notices have been sent to 211,638 Class Members,
19 99.48% of the total number of Class Members.

20 22. As of this date, Rust received 257 Rollover Forms.

21 23. As of this date, Rust received zero (0) objections.

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1 24. As of this date, eight (8) self-identifying Class Members, who were not included in
2 the Class List, have contacted Rust to request inclusion in the Class (“self-ids”). Per the
3 instruction Rust received from Class Counsel, the information regarding these eight (8) self-ids
4 was forwarded to Counsel for the Defendants for research to determine if the self-ids are included
5 in the Class. Five (5) self-ids are not Class Members, one (1) self-id provided incomplete
6 information and two (2) self-ids are currently under review.

7 25. The total cost for the administrative services that Rust Consulting, Inc. is to
8 provide, in accordance with the Settlement Agreement, is estimated to be \$264,758.00.

9 I declare under penalty of perjury that the above is true and correct to the best of my
10 knowledge and that this Declaration was executed this 31st day of January 2024, at Minneapolis,
11 MN.

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14 ABIGAIL SCHWARTZ
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CERTIFICATE OF SERVICE

I, Theodore J. Pinter, hereby certify that on February 1, 2024, I authorized a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such public filing to all counsel registered to receive such notice.

/s/ Theodore J. Pinter

THEODORE J. PINTER